

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES,

-v-

No. 94 CR 00888-LTS-3

TEIONNIE S. HAMILTON,

Defendant.

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ORDER

The Court has received a letter from Teionnie S. Hamilton requesting expungement of her 1996 criminal conviction in the above-captioned case. (Docket entry no. 58.) Ms. Hamilton's letter has been redacted to protect personal telephone contact information and the unredacted version will be filed under seal.

Ms. Hamilton is not challenging her conviction. Rather, her letter explains that she completed her sentence of probation many years ago and that, despite her consistently positive behavior, her conviction history has impeded her ability to find employment and training to improve her situation. Unfortunately, the Court does not have authority to grant Ms. Hamilton's request for expungement. Where, as here, a request for expungement is brought years after a valid conviction and completion of the sentence imposed, the court does not have the power to assert jurisdiction over, or grant, requests for expungement of such. Doe v. United States, 833 F.3d 192, 196 (2d Cir. 2016). The only federal statute providing for such judicial relief is 18 U.S.C. section 3607, but that statute limits the types of convictions that may be expunged to offenses under section 404 of the Controlled Substances Act (21 U.S.C. § 844.) Ms. Hamilton's conviction was not for a violation of this statute. The Court therefore does not have

power under current law to exercise jurisdiction over this request or to grant it. Accordingly, Ms. Hamilton's request is denied.

The Clerk of Court is respectfully directed to mail a copy of this order to Ms. Hamilton, at the below address.

SO ORDERED.

Dated: New York, New York
August 30, 2021

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge

Copy to be mailed to:

Teonnie S. Hamilton
108 Chesapeake Bay Ct.
Atlantic City, NJ 08401